

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Steven T. Battko

Docket No. 5:10-CR-159-1BO

Petition for Action on Probation

COMES NOW Debbie W. Starling, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Steven T. Battko, who, upon an earlier plea of guilty to Theft of Government Property and Aiding and Abetting, in violation of 18 U.S.C. §§ 641 and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 24, 2011, to a 60-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abide by all conditions and terms of the home detention program for a period of six months, without electronic monitoring, and shall adhere to a curfew from 6:00 a.m. to 6:00 p.m., or as directed by the officer for a period during his home confinement period. The defendant is restricted to his residence every day during the curfew hours.
2. The defendant shall cooperate with Government agency if called on to do so.

The defendant was also ordered to pay restitution in the amount of \$29,756.75.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant has been experiencing financial difficulty. According to a financial statement submitted by the defendant, the household expenses exceed the household income. He is employed on a full-time basis, and his failure to make regular payments is not considered willful. He has paid \$50 to date toward his monetary obligation. It is respectfully requested that his monthly payments be reduced from \$50 to \$25 per month. The probation officer will continue to encourage the defendant to make more regular payments as he is financially able to do so.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. That the defendant's monthly restitution payment amount be reduced to \$25.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Debbie W. Starling
Debbie W. Starling
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: October 21, 2011

ORDER OF COURT

Considered and ordered this 21 day of October, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge